

REPORT BY THE
AUDITOR GENERAL
OF CALIFORNIA

**PREVENTING THE PLACEMENT OF
POTENTIALLY VIOLENT JUVENILES AND
ADULTS IN MINIMUM SECURITY
CORRECTIONAL FACILITIES**

REPORT BY THE
OFFICE OF THE AUDITOR GENERAL

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POTENTIALLY VIOLENT JUVENILES AND ADULTS
IN MINIMUM SECURITY CORRECTIONAL FACILITIES

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Auditor General

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Honorable Art Agnos, Chairman
Members, Joint Legislative
Audit Committee
State Capitol, Room 3151
Sacramento, California 95814

Dear Mr. Chairman and Members:

The Office of the Auditor General presents its report concerning the processes used by the California Department of the Youth Authority and the California Department of Corrections to prevent the assignment of potentially violent wards and inmates to minimum security facilities.

Respectfully submitted,


THOMAS W. HAYES
Auditor General

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SUMMARY

RESULTS IN BRIEF

The California Department of the Youth Authority (CYA) relies too heavily on staff judgements in determining the security level of its wards. In addition, the CYA does not routinely obtain criminal records from other states. As a result, the CYA staff have assigned some of its 7,000 wards to minimum security programs without knowing about crimes the wards committed outside California. Further, the CYA has placed wards in its minimum security programs even though its staff had determined that the wards belonged in programs offering higher levels of security. Assigning potentially violent wards to minimum security programs imposes a greater danger on the public, CYA staff, and other wards than assigning the potentially violent wards to programs with higher levels of security.

In contrast, we found that the methods used by the California Department of Corrections (CDC) for assigning inmates to minimum security facilities appear adequate. CDC staff use a point scoring system to determine an inmate's security risk, and they routinely obtain from federal, state, and local sources available information on the inmates' past criminal activities before assigning inmates to minimum security facilities.

BACKGROUND

Wards normally enter the CYA through a reception center-clinic where the staff examine and observe them, determine their level of security, and recommend a program for them. A program is a combination of activities, techniques, and facilities that the CYA uses to meet the needs of a group of wards. Wards assigned to CYA's minimum security programs may be housed in facilities without perimeter

fences and may participate in activities outside the perimeter of an institution without constant supervision by CYA staff.

At CDC reception centers and institutions, CDC staff use a point scoring system to classify inmates' security risk level--their potential for escape or violence--and assign inmates to the facilities best suited to their needs. CDC's minimum security facilities usually have no fences or walls to contain inmates, and inmates are supervised by relatively few, unarmed correctional officers.

PRINCIPAL FINDINGS

The California Department of the Youth Authority Does Not Ensure a Consistent Process for Assigning Wards to Its Minimum Security Programs

The CYA is not routinely requesting records of its wards' criminal activities in other states. As a result, the CYA has assigned wards to minimum security programs without full knowledge of their criminal activities and has, thereby, imposed increased danger upon other wards, CYA staff, and the public. We reviewed files for 43 wards and found that CYA staff failed to request criminal information from other states for 2 of 3 wards whose files indicated that they may have been involved in criminal activities outside California. Federal Bureau of Investigation (FBI) records, which were available to the CYA, showed that these 2 wards had records of criminal activity that the CYA didn't know about.

In addition, the CYA relies too heavily on its staff's judgment to determine the security risks of wards and to recommend appropriate programs. Organizations such as the National Institute of Corrections and the National Council on Crime and Delinquency recommend the use of an objective, point-based system to determine a ward's security risk. Systems like this are used by both juvenile and adult correction agencies in many other states. Of the 43 wards in our sample who either escaped

or assaulted someone, at least 11 were placed by the CYA in minimum security programs when they apparently should have been placed in programs with higher security levels. Although both a point-based system and the CYA's present system determine a ward's security risk, we conclude that a point-based system better ensures consistency, equity, and useful information for management.

Finally, the CYA lacks methods to routinely detect problems with its system for assigning wards to programs. As a result, CYA staff cannot learn from their errors, and the CYA cannot systematically improve its procedures.

The California Department of Corrections'
Procedures Appear Adequately Designed To
Prevent the Assignment of Potentially Violent
Inmates to Its Minimum Security Facilities

The CDC's practices dictate that reception center staff obtain reports from California's Department of Justice and the FBI on inmates' current offenses; on their social, family, and employment history; and on their prior criminal activities. If all of this information is not available, the inmate is not placed in a minimum security facility. We found, however, that the FBI reports were missing from 6 (10 percent) of the 62 files in our sample. CDC officials are unsure whether staff never received the reports or simply misplaced them.

Our research indicates that the CDC's point scoring system adequately determines the security level of its inmates. The factors that the CDC uses to classify inmates, such as length of sentence and past criminal behavior, are commonly used by other states. Moreover, under certain conditions, the CDC can administratively override a classification score to accommodate special concerns regarding the security of the inmate or CDC requirements.

RECOMMENDATIONS

To improve its process for classifying and assigning wards, the CYA should take the following actions:

- Develop policy requiring staff to obtain, when necessary, records of wards' criminal activities from the FBI and from other states;
- Develop an objective, point-based classification system and require that wards be assigned to programs that match their classification; and
- Routinely review and evaluate assignments of wards who are involved in serious incidents.

To ensure that staff have complete information on inmates' criminal activity when classifying them, the CDC should ensure that staff obtain FBI reports for all inmates, use this information in the classification process, and retain the reports in inmates' files.

AGENCY COMMENTS

The Youth and Adult Correctional Agency agrees that the California Youth Authority needs to obtain FBI records for wards and routinely evaluate assignment of wards that are involved in serious incidents. The agency further agrees that a point-based classification system has certain advantages over the CYA's system but contends that the CYA has not yet found or developed a point-based system that has clearly been demonstrated to be superior to the one it presently uses.

In addition, the agency explains that the California Department of Corrections will ensure that FBI reports are received and filed for each inmate but, because of overcrowded conditions, the CDC will not retain in reception centers those inmates for whom an FBI report hasn't been received. Further, the CDC will initiate procedures to ensure that staff obtain FBI reports for inmates whose files currently do not have these reports and will reclassify inmates accordingly.

INTRODUCTION

State law divides the responsibility for the control, care, treatment, and training of individuals who are convicted of serious crimes between two state agencies. Generally, the California Department of the Youth Authority (CYA) is responsible for juveniles who committed offenses while under the age of 18 and for certain adults who were apprehended for offenses before they were 21 years old. The California Department of Corrections (CDC) is generally responsible for adults who committed offenses while over the age of 18. Both the CYA and the CDC are responsible for protecting society from the consequences of criminal activities, for protecting their employees, and for protecting the juveniles and adults that are in their custody from each other.

The California Department of the Youth Authority

The CYA has a headquarters office in Sacramento and operates 38 programs for its wards--the juveniles and adults in its custody--at 11 institutions and 6 camps located throughout the State. Each program, which is a combination of activities, techniques, and facilities that the CYA uses to meet the needs of a group of wards, has a security level that designates the degree to which the wards will be supervised by CYA staff and restrained by facilities. There are four security levels: limited (minimum security), moderate, medium, and close (maximum security). Wards in either moderate, medium, or close

security programs are normally housed in facilities surrounded by a 14-foot or 16-foot chain link fence and are constantly within the sight and hearing of a CYA staff person. Wards in limited security programs may be housed in facilities without a perimeter fence and may participate in activities outside the perimeter of an institution without constant supervision by CYA staff. Sometimes, they are without any supervision.

The CYA assigns wards to programs in various ways. At two of its institutions, the CYA operates reception center-clinics that receive wards from the court, assess their needs, and recommend to headquarters specific programs for each of the wards. Institutions also periodically assess the needs of the wards and may either assign wards to different programs at the same institution or recommend that headquarters assign wards to programs at other institutions. The CYA headquarters office operates a computer program that receives the recommendations made by reception center-clinics and institutions, establishes waiting lists for each program, and assigns wards to programs as space becomes available.

According to CYA data, during fiscal year 1985-86, the CYA's average daily population was 7,072 wards, and, from January 1, 1986, through September 30, 1986, all CYA facilities reported 130 escape incidents and 2,971 assault incidents. The CYA Institutions and Camps Manual defines an assault as a physical attack by an individual, a gang, or a group against staff, wards, or other persons.

The Department of Corrections

The CDC operates 14 correctional institutions and 30 camps throughout the State, including three reception centers where staff classify adult offenders according to their security risk--their potential for escape or violence.

At the reception centers, the CDC uses a point scoring system to classify an inmate's security risk level and assigns the inmate to an institution that has facilities providing the appropriate level of security. CDC staff classify an inmate based on factors such as the number and nature of prior criminal convictions and the length of the current sentence. Security risk levels range from Level I (minimum security) to Level IV (maximum security). The department has established a range of classification scores for each security risk level.

The CDC also classifies its institutions and camps according to the level of security they provide. The institutions have facilities for housing inmates at various levels, while the camps accommodate only Level I inmates. Level II, Level III, and Level IV facilities have either concrete walls with walkways for armed guards or chain link fences around the perimeter that are at least 12-feet high and are topped with razor wire. Moreover, as the security level of the facilities increases, the CDC provides more armed coverage within the secure perimeter. Level I inmates at camps are supervised by

relatively few, unarmed correctional officers. Level I inmates may also participate in vocational programs in the surrounding communities or work with crews that perform public work projects such as firefighting and general maintenance of forest areas. Typically, Level I facilities have no chain link fences or walls to contain inmates. In some instances, Level I inmates may be housed in facilities designated Level II or higher but may work outside the perimeter of these facilities.

As of November 1986, the CDC had over 57,000 inmates in its institutions and camps. According to CDC data, from January 1, 1985, through December 31, 1985, all CDC facilities reported a total of 81 escapes and 1,784 assaults by inmates against other CDC staff or other inmates.

SCOPE AND METHODOLOGY

The purpose of our review was to determine if potentially violent wards or inmates were being assigned to minimum security correctional programs. To determine the adequacy of the CYA's methods for placing wards in CYA's limited security programs, we reviewed a sample of 43 of the 305 wards who were involved in the 78 escape incidents and 227 assault incidents that occurred in the limited security programs between January 1, 1986, and September 30, 1986. We also interviewed CYA staff to determine their procedures for assigning wards to CYA institutions. Additionally, we visited Preston School of

Industry and Dewitt Nelson Training Center and interviewed staff to determine why assignment decisions were made for specific cases in our sample. In fiscal year 1984-85, the CYA admitted approximately 5,300 wards into its institutions. Although the CYA annually makes numerous assignment decisions to moderate, medium, and close security programs, our review focused only on assignments to limited security programs.

To determine whether the CDC appropriately placed inmates in their institutions, we also reviewed a sample of 62 Level I inmates of the 598 Level I and Level II inmates who were involved in escape or assault incidents while assigned to Level I facilities at four CDC correctional institutions between June 1, 1985, and May 31, 1986. The four institutions are the California Institute for Men, the Correctional Training Facility, the California Correctional Center, and the Sierra Conservation Center. To determine if the inmates were appropriately assigned to Level I facilities, we reviewed the inmates' files and their classification scores. To ascertain whether CDC staff computed inmates' classification scores according to instructions in the CDC manual, we compared the classification scores to the documentation in the files for 14 of the 62 inmates in our sample. We verified the mathematical accuracy of the classification score totals for all 62 of the inmates. Further, we also verified that the inmate was placed in a CDC facility appropriate for the inmate's classification point total.

To determine how other states assess the security risk for offenders in their correctional institutions, we contacted the states of Arizona, Colorado, New York, and Texas. We also interviewed officials of the National Council on Crime and Delinquency and the National Institute of Corrections to discuss the classification models they developed to assess the security risks of offenders. The National Council on Crime and Delinquency is a nongovernmental, nonprofit organization that provides assistance to correctional agencies in education, policy development, research, and technical matters. The National Institute of Corrections is part of the Federal Bureau of Prisons and serves as an information center to state and local correctional agencies. In addition, we reviewed articles published by the American Correctional Association, a private, nonprofit organization that publishes national standards for correctional facilities and provides other related services.

AUDIT RESULTS

I

THE CALIFORNIA DEPARTMENT OF THE YOUTH AUTHORITY DOES NOT ENSURE A CONSISTENT PROCESS FOR ASSIGNING WARDS TO ITS MINIMUM SECURITY PROGRAMS

The California Department of the Youth Authority (CYA) needs to improve its methods for determining the security risk of its wards and assigning them to limited security programs. In the initial stages of the process, CYA staff are failing to request wards' records from other states when CYA files indicate that wards were involved in criminal activity outside California. We found that three of the wards in our sample had been involved in criminal activity in other states; the CYA did not know about the activity of two of these wards. In addition, the CYA is determining a ward's security risk and selecting a program for the ward while relying heavily upon the judgment of CYA staff. This practice contrasts with an objective, point-scoring classification system recommended by correctional authorities and used by other states. In the 43 cases that we reviewed, the CYA's methods have resulted in at least 9 program assignments that are not consistent with wards' security needs and 2 others which appear to be incorrect. All 11 of these inmates either escaped from a limited security program or assaulted someone. Finally, the CYA does not routinely evaluate the effectiveness of its ward assignment process. Consequently, staff do not know about the consequences of any of their questionable actions, and the CYA is limited in its ability to improve its procedures.

How Wards Are Assigned to Programs

Before the courts send a ward to the CYA, the CYA's Intake and Case Services Section at headquarters obtains information from law enforcement officials about the ward's criminal and social background. When the reception center-clinic receives the ward, the staff evaluate the ward based on information provided by the Intake and Case Services Section, on observations of the ward in the reception center-clinic, and on tests to determine the educational, psychological, and physiological needs of the ward. After reviewing this information, staff rate, or classify, the ward in five categories: security level; chronological age; maturity level; treatment needs; and work, academic, and vocational needs. The staff then recommend two programs that will provide the security, education, work experience, or other rehabilitation that will meet the needs of the ward. These program recommendations are subject to the approval of a supervisor at the reception center-clinic. The goal of the security-risk classification system is to place the ward in the lowest security level that will reasonably ensure that the ward will (1) not escape, (2) not harm others, (3) be protected from harm, and (4) be motivated to participate in the assigned treatment program.

The CYA presents the recommendations to the Youthful Offender Parole Board, a state agency whose primary responsibility is to make parole decisions about wards. This parole board determines when the ward will be considered for parole and selects one of the two programs

that it deems best for the ward. The reception center-clinic staff enter the two programs recommended for the ward (the parole board's choice being the first alternative) into the CYA's computer system, which is programmed to assign wards to programs based on bed availability. Neither state law nor CYA policy requires CYA staff to follow the parole board's selection.

When a ward arrives at the institution that houses the program that he or she has been assigned to, the institution staff also evaluate the ward to ensure that the assigned program will meet the ward's needs. The CYA's Institutions and Camps Branch policy manual requires that the CYA evaluate the ward every 120 days after assignment to a program to determine if the ward's treatment needs have changed.

The CYA Does Not Routinely
Obtain Records of Wards'
Criminal Activity in Other States

Section 1761 of the California Welfare and Institutions Code requires the CYA to examine, study, and investigate all the pertinent circumstances of a ward's life and the causes of the crime for which the ward was committed to the department. In addition, the California Administrative Code, Section 4168.5, requires that a copy of the police arrest report relating to the ward's present conviction be part of the ward's file, along with a record of all the ward's previous arrests and convictions in the State. The Bureau of Criminal Identification, located in the Department of Justice, provides the records of a ward's

crimes in California. The CYA's policy also requires that the Intake and Case Services staff be responsible for compiling the documents that both the law and CYA policy require. The Administrator of the Intake and Case Services Unit stated that staff are not required to request records of a ward's criminal activity in other states.

The assistant chief of the Department of Justice's Bureau of Criminal Investigation stated that the CYA can obtain through his bureau the Federal Bureau of Investigation (FBI) record of a ward's criminal activity in other states. According to the assistant chief, these records are available to the CYA within a few days after his bureau reviews the request. However, the administrator of the CYA Intake and Case Services Unit told us that the FBI records may not have all of a ward's criminal activity because some states do not report juvenile criminal activity to the FBI and that the CYA should contact these states directly.

Because the CYA allows its staff to exercise discretion in sending for the records of criminal activity in other states, CYA staff have determined the wards' security level and have assigned these wards to limited security programs without knowing that they were involved in criminal activity in other states. For example, in 3 of the 43 ward files we reviewed, there was evidence that the wards had told either the CYA or local law enforcement officials that they had criminal records in other states. Local law enforcement officials obtained one ward's FBI report. However, CYA staff did not request from either the

FBI or from the other states the criminal records of 2 of these wards. We obtained the wards' FBI criminal records through the state Bureau of Criminal Identification and found that one ward had been arrested in Arizona on auto theft and robbery charges and the second ward had been arrested in Arizona on fraud charges. This information was available when the wards entered the CYA's custody.

Although, in these two instances, the CYA assignment may not have changed because the wards were only arrested and not convicted of crimes in other states, other wards may have committed serious crimes in other states that might affect their security-risk classification. Without complete information about a ward, the CYA may assign potentially violent wards to limited security programs and impose a greater danger upon the public, other wards, and CYA staff than assigning the wards to programs with higher levels of security would pose.

The administrator of the CYA's Intake and Case Services Section states that he believes it is an oversight that CYA policy allows staff to use their judgement in deciding which wards require out-of-state record checks. During our audit, the CYA implemented a procedure that requires the Intake and Case Services Unit staff to obtain out-of-state criminal records for wards who appear to have been involved in criminal activity in other states.

The Department of the Youth Authority
Relies Too Heavily on Staff Judgments in
Determining a Ward's Security Risk Level

According to the CYA's program catalog, which contains the policies for assigning wards to programs, the staff's evaluation of a ward's security risk is to be based upon several factors, including the following: the ward's motivation to escape, the ward's emotional stability, personal threats made by the ward, history of abuse by others against the ward, the ward's length of confinement, and the ward's level of maturity. This method of evaluation is not recommended by other authorities in the corrections profession, differs from methods used by other states, and can result in inconsistent recommendations by staff.

A CYA reception center-clinic supervisor stated that, among his staff, there are different approaches to classifying wards. According to the supervisor, some caseworkers place greater emphasis on a ward's past crimes than do other caseworkers. Further, the supervisor said that one of his jobs in reviewing staff security recommendations is to "balance out" the different points of view used by the staff.

The American Correctional Association (ACA) states that the purpose of a classification system is to promote consistent and equitable methods of assessing the security risk of individual wards and that the criteria for making decisions be explicitly delineated,

defined, and readily defensible. Moreover, the ACA states that the criteria used to make intuitive classification decisions are as varied as the decisionmakers' experiences, education, and philosophical approaches. The ACA has published a list of factors that it recommends be used to determine the security risk of a juvenile. These factors include a ward's prior criminal history, his or her age at first criminal conviction, and his or her number of placements in juvenile correctional facilities. In addition, the U.S. Department of Justice has published a classification system for juveniles that establishes a range of points for similar factors and determines a ward's security risk based on the total points assigned. The U.S. Department of Justice classification system is based on a point-scoring classification system for adults that the National Institute of Corrections developed.

The states of Texas and Colorado use classification systems similar to the National Institute of Corrections model. These systems determine the level of security a ward needs based on the ward's number of points: the higher the number of points, the greater the ward's security risk. To deal with wards' special security needs, Texas and Colorado have an established process that allows their staff to "override" the point-scoring classification system and assign a ward to a level of security that differs from that dictated by the ward's point score. Reasons for overrides include gang threats, personal vendettas, and lack of available space for the wards. As we point out in the next chapter, the California Department of Corrections (CDC) also uses a point-based system to classify its inmates.

Before the CDC implemented its point-based system, it relied upon the judgements of its counselors and other professional staff to select an inmate's security level. Some CDC staff reviewed the CDC's earlier classification system and published the results in an ACA periodical in 1981. In the article, the staff expressed concerns about the following weaknesses in the earlier classification process: the disparity in classification judgements among decisionmakers, the disparity in classification recommendations among institutions, and the inaccuracy of predictions about behavior. The article concluded that, using the earlier classification system, staff could not systematically collect information for evaluating inmates. Further, the article stated that an objective classification system should classify inmates on the basis of objective information and objective criteria and be applied uniformly so that similar inmates receive similar security assignments. Further, the article stated that the system should be just, valid, and simple to understand.

New York's adult correctional system, like California's, uses an objective, point-based classification system. New York correctional officials stated in an ACA publication that point-based security classification scores can aid in dealing with prison population pressures. The New York officials gave the following example: if there are more inmates classified for minimum security beds than are available, those minimum security inmates with the highest scores can be easily identified and sent to medium security beds.

As a result of the CYA's procedures that allow staff to evaluate the security level needs of wards, the CYA has placed in limited security programs wards who apparently should have been placed in programs with higher levels of security. In our sample of 43 wards who either committed assaults in, or escaped from, limited security programs from January 1986 through September 1986, 18 were assigned to the limited security programs directly from reception center-clinics, 20 were previously assigned to higher security programs, and 5 were previously on parole. For 9 of the 18 wards from reception center-clinics, CYA staff recommended either limited security or moderate security programs, even though the wards were rated as moderate security risks. In processing these recommendations, the CYA computer system assigned these 9 wards to limited security programs.

CYA staff have made other judgements that we believe are questionable. Eight of the 18 wards that were assigned to limited security programs directly from reception center-clinics had either prior or current convictions for violent crimes.* Three of these 8 wards assaulted other wards or CYA staff, and 5 escaped. One of the wards that escaped had been sentenced to the CYA for attempted murder--he had stabbed his victim three times, damaging the victim's lungs, kidney, and stomach. After escaping, the ward stole a car. In

*We define a violent crime as any wrongful act committed by means of force against the person of another.

addition, the placement of one of the 5 wards who were assigned to a limited security program directly from parole also appears questionable. This ward was originally sentenced to the CYA in 1983 for assault with a deadly weapon. The ward was paroled in 1985 and, after five months of probation, was arrested for assaulting and intimidating a witness. As a result of this crime, the ward's parole was revoked, and he was returned to the CYA and assigned to a limited security program where he assaulted a Department of Forestry employee. Further, this ward had a history of fighting during prior sentences to the CYA. When we classified these two wards using Colorado's system, we found that they would not have been assigned to a minimum security program because of their current offense and prior criminal history.*

The deputy director of institutions and camps stated that, based on available information, a point-based system is not preferable to the CYA's system because, in his opinion, it has not been proven that objective, number-based classification systems are superior to the department's system. Despite the deputy director's opinion, however, the trend in other states is to adopt point-based classification

*We acknowledge that it is possible that the CYA would assign these inmates to a limited security program even if it adopted a point-based system because some of CYA's policies differ from those of Colorado's. For example, according to the director of a Colorado juvenile correction institution, wards convicted of violent crimes are assigned to secure facilities. However, neither California law nor CYA policy requires secure facilities for wards who have committed such violent crimes as voluntary manslaughter and assault with a deadly weapon. Consequently, the CYA may assign wards who have committed violent crimes to programs with a variety of security levels, including limited security.

systems. According to the National Institution of Corrections, adult correction agencies in all but seven states use, or are implementing, objective, point-based classification systems. In addition, the midwest director of the National Council on Crime and Delinquency states that subjective classification systems do not provide the information necessary to use staff and other resources rationally. The deputy director of institutions and camps also stated that the CYA has established a work group whose purpose is to study the classification systems of the CYA and other entities and to recommend ways to improve the CYA's procedures.

The Department of the Youth Authority
Does Not Routinely Evaluate the
Effectiveness of Its Ward Assignment Process

According to the 1986-87 Governor's Budget, the director of the Department of the Youth Authority, the chief deputy director, and branch deputy directors are responsible for determining policy, planning and implementing programs, and evaluating programs. The National Institute of Corrections states that one purpose of a classification system is to enhance planning, monitoring, evaluation, and accountability.

Although the institutions and the Youthful Offender Parole Board periodically determine that wards are assigned to appropriate programs, our review disclosed that the CYA has no systematic process to evaluate the effectiveness of its ward assignment process. The

deputy director of institutions and camps stated that staff in the Division of Institutions and Camps do not, for example, periodically determine the appropriateness of the classification decisions and assignment recommendations made by staff in the institutions. These evaluations would be similar to the reviews done by the CDC's Classification Services Unit, which routinely audits a sample of reclassifications by institutions. Moreover, the deputy director of institutions and camps stated that the CYA does not routinely review incidents to determine whether the wards who were involved in these incidents were correctly classified and assigned to the appropriate program.

In our review of 43 wards who had either escaped or assaulted someone while assigned to a limited security program, we detected a number of incidents that apparently involved staff errors or poor decisions, but we found no evidence of any efforts by the CYA to take corrective action. For example, we reviewed the file of a ward who was sentenced to the department for shooting into an inhabited vehicle. The CYA initially assigned this ward to a moderate security program. While in this program, the ward was involved in two fights, four incidents of battery, and one assault. Moreover, the ward had to be restrained because a CYA chaplain felt threatened by the ward's actions. After the incident involving the chaplain, the institution staff assigned this ward to a camp following 90 days of good behavior. After being in the camp for only 30 days, the ward assaulted another

ward. The CYA's chief of security and emergency operations told us that, in his opinion, CYA staff had misjudged the security needs of this ward.

The superintendent of the camp stated that, because of the seriousness of the ward's offenses, staff at the institutions to which he had previously been assigned should have kept better records of the ward's violent actions. Our review of the ward's case file showed that the superintendent's statement was included in a report that is in the ward's master file at the CYA headquarters. However, the deputy director of institutions and camps and the chief of security were not aware of this incident or of the superintendent's comments.

In another instance, the CYA's population management staff was not aware that they had assigned a ward to a program that did not have a vacancy. The CYA's clinical staff had evaluated the ward and found him to be immature. However, the staff of the program that received the ward sent him to an adult camp program because they had no available space in their program. While at the adult camp, the ward's property was stolen and, according to the camp staff, he was harassed by the adult wards. After only ten days at the camp, the ward escaped. At the time that the reception center-clinic staff classified the ward, they specified that this ward should not be placed in an adult camp.

Because the CYA does not systematically review its classification and assignment of wards, staff are not informed of

inappropriate decisions and, therefore, cannot learn from their errors. Also, the CYA lacks a method to routinely detect problems with its process for assigning wards. A CYA program supervisor stated that he sometimes receives feedback from staff in other programs about the wards he has made assignment and classification decisions about. However, the program supervisor said that this type of feedback usually depends upon his personally knowing the staff member.

CONCLUSION

The California Department of the Youth Authority does not routinely obtain all the criminal information on wards who have criminal records in other states. The CYA's failure to obtain this information could result in the assignment of a violent ward to a limited security program, posing a threat to other wards, staff, or the public. Moreover, the CYA's security assessment of wards is based on the judgement of its staff, a method that has resulted in assignments that are inconsistent with the wards' security classification. Finally, the CYA does not routinely review assignment decisions that result in violent acts by wards assigned to limited security programs. Staff cannot improve their decisionmaking if they do not know about the consequences of their incorrect decisions. Further, the CYA cannot systematically improve its classification and assignment procedures to prevent the recurrence of events like those

previously mentioned because it does not routinely review ward assignments to see if mistakes are being made.

RECOMMENDATIONS

To obtain more complete information about a ward's criminal history before assigning wards to limited security programs, the CYA should obtain the Federal Bureau of Investigations' criminal record and, if necessary, a ward's criminal records directly from other states when staff have reason to believe that a ward may have been involved in criminal activity outside California.

To provide consistency in the assessment of wards' security risks, the CYA should take the following actions:

- Develop an objective, point-based security classification system to be used by staff in making security classifications. The classification system should consider factors similar to those in the American Correctional Association model, which include age at first conviction, prior criminal behavior, drug or chemical abuse, alcohol abuse, family relationships, school problems, and peer relationships. The system should also contain an override process; and

- Require that wards be assigned to programs that match their security classification.

To improve the performance of its staff and its process for assigning wards to programs, the CYA should take the following actions:

- Routinely review and evaluate the assignments of wards who are involved in incidents that result in the wards' being moved to a higher security program or having time added to their parole consideration date; and
- Use the results of the reviews of ward escapes and assaults to revise the guidelines on assigning wards and to educate staff regarding their decisions.

II

THE CALIFORNIA DEPARTMENT OF CORRECTIONS' PROCEDURES APPEAR ADEQUATELY DESIGNED TO PREVENT THE ASSIGNMENT OF POTENTIALLY VIOLENT INMATES TO ITS MINIMUM SECURITY FACILITIES

CDC procedures require that, before assigning an inmate to a Level I facility, staff obtain available information from federal, state, and local sources on the inmate's past criminal activities. We found, however, that reports from the Federal Bureau of Investigation were missing from 10 percent of the files in our sample. In addition, our review of model classification systems and systems used by other states indicated that CDC's criteria for determining an inmate's classification score is adequate. Further, CDC's system has an override procedure that allows CDC staff to ignore an inmate's classification score and, when necessary, place the inmate in a facility providing a more appropriate level of security. Although we found some minor errors by CDC staff in determining inmates' classification scores, the CDC, in response to a previous report by the Office of the Auditor General, has begun a training program on classification scoring.

How the CDC Classifies Inmates and Assigns Them to Institutions

When an inmate arrives at a reception center, CDC policy requires that staff submit two copies of his or her fingerprints to the

California Department of Justice (DOJ). The DOJ uses one copy to perform a background check and returns to the CDC a California Identification and Investigation report (a summary of arrests and convictions in California). The DOJ forwards the second copy of the inmate's fingerprints to the Washington D.C. office of the FBI. According to the CDC's chief of Case Record Services, the FBI forwards to the CDC a summary of an inmate's arrests and convictions throughout the United States. Reception center staff are required to use both of these reports and other data to determine the inmate's classification score.

An inmate's classification score is first computed at reception centers and then later recomputed at various times by staff at the institutions. At reception centers, staff use a CDC Classification Score Sheet to determine an inmate's classification score. (See Appendix A.) This sheet lists factors that are considered in classifying an inmate and the number of points that are either added to or subtracted from the total score for each factor: the higher an inmate's classification score, the higher the inmate's classification level. For example, 4 points are added to an inmate's score for each year of his or her sentence length that exceeds one year. In addition, points are added if he or she is under 26 years old, and another 2 points are added if the inmate is not married. Points are also added for any prior sentences the inmate has served; for example, 2 points are added for each prior sentence (up to a limit of three) to a state juvenile authority. Points are also added in various categories for

unfavorable behavior during prior sentences. For example, 8 points are added for each escape, and 16 points for each assault that caused serious injury. For favorable behavior during prior sentences, points are subtracted from an inmate's total score. For example, 8 points are subtracted if the inmate successfully served the last year of his or her sentence in a minimum security facility. The inmate's total classification score determines the inmate's classification level: Level I--up to 23 points; Level II--24 to 33 points; Level III--34 to 55 points; Level IV--56 points or more.

A classification staff representative from the CDC's central office in Sacramento reviews and approves the classification of every inmate processed through the reception centers. According to CDC policy, staff then assign the inmate to an institution that has facilities providing the appropriate level of security.

CDC policy further requires that classification committees at institutions reclassify each inmate annually or anytime the inmate is found guilty of a serious violation, such as assaulting another person or attempting to escape. When an inmate is reclassified, institution staff use a CDC Reclassification Score Sheet. (See Appendix B). At that time, an inmate's classification score is increased for certain types of unfavorable behavior that have occurred since the inmate's last classification scoring and is decreased for favorable behavior. For example, 16 points are added to an inmate's score each time he or she is found to possess a deadly weapon. On the other hand, 2 points

are subtracted for each six-month period without an incident. If the inmate's classification level changes, the committee may recommend that the CDC reassign the inmate to a different facility.

In addition, the CDC classification manual allows the staff to recommend an administrative override of the classification score; staff may, for example, place a Level II inmate in a Level I facility, under certain conditions. The purpose of the administrative override is to accommodate special needs of inmates or departmental requirements. A classification staff representative must approve all overrides that institution staff recommend.

The CDC's Procedures Require Complete
Background Information on Inmates Before
Assigning Them to Level I; However,
Some FBI Reports Are Missing From Files

Before computing an inmate's classification score, reception center staff are required by CDC policy to obtain background information on an inmate's criminal activities. The CDC case records manual requires the reception centers to place in the inmate's case file the probation officer's report--which is a report of the offense for which the inmate is currently sentenced to the CDC, the inmate's social, family, and employment history--and the report completed by the DOJ detailing the inmate's arrests and convictions in California. The research director of the National Council on Crime and Delinquency (NCCD) and the director of the midwest office of the NCCD stated that most states use a probation officer's report and a criminal history report as information sources for an inmate's past criminal behavior.

CDC policy requires staff to retain an inmate at the reception center if this information and any other information necessary to assess an inmate's security risk is not available; if the inmate must be moved, staff must classify the inmate no lower than Level II until the information is received. The chief of classification services stated that this procedure ensures that an inmate who may be violent is not assigned to a Level I facility.

Staff are adhering to the CDC's procedures. Each of the files in our sample contained a probation officer's report covering circumstances of the offense for which the inmate was convicted; the inmate's education, employment, and social history; and sentencing options. Each file also contained a California Identification and Investigation report showing the inmate's history of criminal arrest and conviction in California.

Six (10 percent) of the 62 files did not, however, contain a copy of the FBI report, even though these reports are routinely requested when an inmate arrives at a reception center. Neither the CDC's chief of classification services nor the staff at the institutions responsible for the files were able to tell us whether the CDC ever received the FBI reports or whether the reports had been received but misplaced by staff. If the CDC is not actually receiving FBI reports for some inmates, CDC staff may be incorrectly classifying inmates and placing them in Level I facilities when they may have been involved in criminal activities outside California. Using FBI criminal

data from the CDC's California Law Enforcement Telecommunications System, we determined that the six inmates did not have any arrests or convictions in other states. However, a check using only the inmate's name is not as thorough as the fingerprint check that the CDC would normally request. For a thorough check of these inmates, the CDC needs to resubmit to the FBI the fingerprints of these inmates and any other inmates for whom it does not have FBI reports.

The CDC's Procedures for Determining
Classification Scores and Overriding
Those Scores Appear Adequate

The CDC's scoring system assigns to an inmate points that reflect the inmate's length of sentence, personal stability, and past criminal behavior. The National Institute of Corrections' (NIC) inmate classification model recommends that an inmate classification score be based, in part, on actual past criminal behavior. Although the NIC recognizes that an individual's future behavior cannot be predicted 100 percent of the time, the NIC states that past behavior is the best indicator of future behavior. Our research of articles published by the American Correctional Association on model classification systems and systems used by other states indicates that there is no consensus on the factors that best predict an inmate's potential for escape or violence. We did conclude that the factors that the CDC uses are commonly used by other states. In addition, we did not find any weaknesses in CDC's point-scoring criteria that determine the security risk of inmates.

Other CDC requirements also help prevent the placement of potentially violent inmates in Level I facilities. For example, to administratively override a Level II classification and place an inmate in a Level I facility, the department's criteria require that the inmate must have no more than 33 points and must have demonstrated, by not having violated department rules, that he or she has satisfactorily conformed to prison life. CDC policy requires that an override be recommended by a counselor and approved by the counselor's supervisor, the classification committee, and a classification staff representative. Further, the classification manual prohibits the CDC from placing certain inmates at a camp; these inmates include those with a history of arson, sex crimes, or escapes.

Our review of the case files for 62 inmates who were assigned to Level I facilities showed that 42 inmates had classification scores of 23 points or less and that the CDC administratively overrode the Level II scores of 20 inmates and placed them in Level I institutions. Each of the 20 inmates whose classification score had been overridden had a score of less than 33, and, according to documentation in the case files, the inmates had not violated any department rules and had demonstrated to the satisfaction of CDC staff that they had conformed to prison life and did not present a management problem. In addition, each of the 20 overrides had all the necessary approvals.

During our review, we verified that CDC staff entered the correct point amounts onto the classification forms. However, of the

118 classification score forms we tested, we found mathematical errors on 4, yielding an error rate of 3.4 percent. We did not find that any of the errors would have resulted in a change in an inmate's security risk classification; however, other inmates whose scores are not accurate may be classified incorrectly.

In March 1986, the Auditor General's Office issued a report on management practices at Folsom State Prison. The report found errors in the totaling of 16 (11.9 percent) of 135 reclassification score forms and recommended that the department provide classification staff with initial and periodic training sessions on calculating reclassification scores. In response, the department has begun an in-service program to train staff to accurately complete the classification score forms.

The View of the National Council
on Crime and Delinquency on the
CDC's Classification System

In 1985, the National Council on Crime and Delinquency (NCCD) conducted an intensive study of the CDC's inmate classification system. The purpose of the study was to determine how well the current system is operating statewide.

The final NCCD report, issued in August 1986, discussed both strengths and weaknesses of the system. Among the system's strengths, the report cited the following: the CDC's inmate classification system

is objective and, therefore, reduces discrimination resulting from the subjective interpretation or personal prejudice of classification staff; the inmate classification system adds points for negative behavior and subtracts points for positive behavior; and, finally, the overall classification system is effectively managed and monitored by the department. The major weakness identified in the report was that the classification score sheet placed too large a proportion of inmates at higher level security institutions than necessary. The NCCD report stated that this weakness was caused by the inappropriate significance assigned to the inmates' sentence length. In its response to this report, the CDC disagreed with the NCCD's position on sentence lengths and stated that the NCCD did not provide any specific evidence to support its position.

CONCLUSION

The Department of Corrections' staff are complying with the CDC's requirements for obtaining information to determine the security risks of inmates. Further, the staff are generally following the CDC's rules and regulations for the classification and assignment of inmates to minimum security facilities and have appropriately placed inmates in minimum security facilities. We detected some errors in the calculation of classification scores, but the CDC has begun a training program for its staff. Further, we found that the CDC's policies and procedures appear to be adequately designed

to prevent the placement of potentially violent inmates in Level I facilities. One exception is that CDC procedures do not ensure that, before classifying an inmate, CDC staff obtain and file the FBI report on the inmates' criminal activities outside of California.

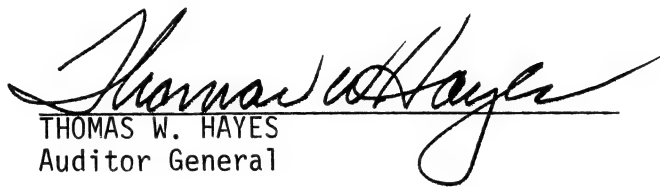
RECOMMENDATIONS

To ensure that staff obtain all available information on inmates' criminal activities and correctly classify inmates, the CDC should take the following actions:

- Require reception center staff to obtain FBI reports, use this information when classifying inmates, and retain the report in the inmate's file; and
- Establish a procedure for staff to obtain FBI reports for inmates whose files currently do not have these reports, and reclassify inmates accordingly.

We conducted this review under the authority vested in the Auditor General by Section 10500 et seq. of the California Government Code and according to generally accepted governmental auditing standards. We limited our review to those areas specified in the audit scope section of this report.

Respectfully submitted,



THOMAS W. HAYES
Auditor General

Date: February 23, 1987

Staff: Steven L. Schutte, Audit Manager
Arthur C. Longmire
Preston G. Peterson
Bruce M. Thompson, CPA

APPENDIX A

DEPARTMENT OF CORRECTIONS CLASSIFICATION SCORE SHEET

RACE/ETHNIC STATUS (code one)		DATE LAST RECEIVED CDC:		COUNTY:		BASE OFFENSE:	
1-White 2-Mexican descent 3-Black 4-Indian 5-Chinese 6-Japanese 7-Filipino 8-Hawaiian 9-Other		mo day year <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>		<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>		(name) _____	
BASE OFFENSE CODE: NUMBER: <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>		MINIMUM RELEASE DATE: mo day year <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>		STATUS (code one): 1-New Commitment 2-PV-WNT 3-PV-RTC		RECEPTION CENTER: RCC NRC RCW SQ CIW	
35 36 37 38 39 40 41		42 43 44 45 46 47		48		49 50 51	

BACKGROUND FACTORS		CALCULATION OF SCORE		PRIOR INCARCERATION BEHAVIOR	
1. Total DSL Term a) Sentence length () b) Minus 1 year		= ____ x 4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 52		6. Unfavorable Prior Behavior a) No. of serious or major disciplinarys last incarcerated year = ____ x 4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 7	
2. Stability a) Under 26 yrs. at reception b) Never married / common law or marriage not intact c) Not high school graduate or GED d) Not more than 6 months with one employer e) No military or not honorable discharge		+ 2 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 54 + 2 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 55 + 2 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 56 + 2 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 57 + 2 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 58		b) Escape in last incarceration = ____ x 8 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 9 c) No. of physical assaults on staff = ____ x 8 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 11 d) No. of physical assaults on inmates = ____ x 4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 13 e) No. of smuggling / trafficking drugs = ____ x 4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 15 f) No. of possessing deadly weapons = ____ x 4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 17	
3. Prior Escapes a) No. of walkaways / escapes b) No. of breached perimeter or escape is committing crime c) No. of escapes with force		= ____ x 4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 59 = ____ x 8 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 61 = ____ x 16 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 63		g) No. of inciting disturbance = ____ x 4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 19 h) No. of assaults that caused serious injury = ____ x 16 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 21 Total Unfavorable Points = + ____	
4. Holds and Detainers a) No. of holds where new prison sentence, deportation likely		= ____ x 6 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 65		7. Favorable Prior Behavior a) Successfully completed last four months in any minimum custody or successful dorm living last incarceration or successful minimum custody last year of incarceration -4 or -8 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 23	
5. Prior Sentences Served a) No. of jail or county juvenile of 31+ days (limit to 3) b) No. of CYA, state level juvenile (limit to 3) c) No. of CDC, CRC, adult state-federal level (limit to 3) i) Total Background Factors Score		= ____ x 2 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 67 = ____ x 2 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 69 ____ x 4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 71 + <div style="border: 1px solid black; width: 20px; height: 20px;"></div>		b) No serious or major 115's last year of incarceration = -4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 24 c) Full time work / school / voc., average or above program last incarcerated year = -4 = <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 25 Total Favorable Credits = - ____	
Work Skills <div style="border: 1px solid black; width: 20px; height: 20px;"></div>		+ <div style="border: 1px solid black; width: 20px; height: 20px;"></div> 73		h) Net Incarceration Behavior Score Unfavorable minus Favorable = + or - <div style="border: 1px solid black; width: 20px; height: 20px;"></div>	
		TOTAL COMBINED BACKGROUND FACTORS AND PRIOR INCARCERATION SCORE		<div style="border: 1px solid black; width: 20px; height: 20px;"></div> 26	

Counselor's Signature: _____ Supervisor's Signature: _____ Date: _____

CLASSIFICATION STAFF REPRESENTATIVE ACTION									
Institution Approved:		Cat:	CSR Last Name:		F.I.	Exceptional Placement*	Date of Action:		
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20 30 31 32 33 34		35	36 37 38 39 40 41		42	43 44 45	46 47 48 49 50 51		

* Explain Exceptional Placement: _____

CDC NUMBER: (end in Col. 6)						INMATE'S LAST NAME (start in Col. 7)																	
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1 2 3 4 5 6						7 8 9 10 11 12 13 14 15 16 17 18														19 20		21 22	

As amended for CAC Title 15 § 3375 on 7-23-84

CDC 839 (6/85)

APPENDIX B

**DEPARTMENT OF CORRECTIONS
RECLASSIFICATION SCORE SHEET**

	mo	day	yr		mo	day	yr		mo	day	yr			
DATE OF CURRENT REVIEW:				21				21				21		
8. Unfavorable Behavior Since Last Review														
a) No. of serious CDC 115's	___ x 6 =			27	___ x 6 =			27	___ x 6 =			27		
b) No. of escapes during current period	___ x 8 =			29	___ x 8 =			29	___ x 8 =			29		
c) No. of physical assaults on staff	___ x 8 =			31	___ x 8 =			31	___ x 8 =			31		
d) No. of physical assaults on inmates	___ x 4 =			33	___ x 4 =			33	___ x 4 =			33		
e) No. of smuggling / trafficking in drugs	___ x 4 =			35	___ x 4 =			35	___ x 4 =			35		
f) No. of possessing deadly weapons	___ x 16 =			37	___ x 16 =			37	___ x 16 =			37		
g) No. of inciting disturbance	___ x 4 =			39	___ x 4 =			39	___ x 4 =			39		
h) No. of assaults that caused serious injury	___ x 16 =			41	___ x 16 =			41	___ x 16 =			41		
i) Total Unfavorable Points				= +	= +				= +					
				No. of 6 mo. periods					No. of 6 mo. periods					
9. Favorable Behavior Since Last Review														
a) Continuous minimum custody	___ x 4 =			43	___ x 4 =			43	___ x 4 =			43		
b) Continuous dorm living	___ x 2 =			45	___ x 2 =			45	___ x 2 =			45		
c) No serious 115's	___ x 2 =			47	___ x 2 =			47	___ x 2 =			47		
d) Average or above full time work / vocational / school program	___ x 2 =			49	___ x 2 =			49	___ x 2 =			49		
ii) Total Favorable Credits				= -	= -				= -					
10. Computation of Classification Score														
a) Net Change = Unfavorable less Favorable =														
b) Any change for holds or detainers (6 points)	= + or -			51	= + or -			51	= + or -			51		
c) Any change of sentence points (4 points per year)	= + or -			54	= + or -			54	= + or -			54		
d) Prior Classification Score	=			57	=			57	=			57		
e) Adjusted Classification Score	=			60	=			60	=			60		
11. Current Placement														
a) Current institution / camp				63				63				63		
b) Assigned custody: (e.g. MIN-A-RS)				69				69				69		
c) Special custody housing: (SHU/MCU/PHU)				75				75				75		
d) Special case factors:				7				7				7		
e) Any change in Minimum Release Date:				10				10				10		
12. Staff Signature:														
13. Auditor Signature:														
14. CSR Action:														
a) Institution approved:				16				16				16		
b) CSR's last name / first initial:				23				23				23		
c) Exceptional placement:				30				30				30		
Reasons:					Reasons:					Reasons:				
<div style="display: flex; justify-content: space-between;"> <div>CDC NUMBER (end in Col. 6)</div> <div>INMATES LAST NAME</div> <div>INITIALS</div> </div> <div style="display: flex; justify-content: space-between;"> <div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">1</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">2</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">3</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">4</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">5</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">6</div> </div> <div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">7</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">8</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">9</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">10</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">11</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">12</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">13</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">14</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">15</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">16</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">17</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">18</div> </div> <div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">19</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">20</div> </div> </div>														

YOUTH AND ADULT CORRECTIONAL AGENCY
OFFICE OF THE SECRETARY



February 18, 1987

Mr. Thomas W. Hayes
Auditor General
660 J Street, Suite 300
Sacramento, California 95814

Dear Mr. *Tom* Hayes:

This is in response to your draft report entitled, "Preventing the Placement of Potentially Violent Juveniles and Adults in Minimum Security Correctional Facilities."

The conservation camps of the Departments of Corrections and the Youth Authority play a major role in both the state's correctional and conservation programs. The programs provide an invaluable work force of almost 4,000 wards and inmates who are available to respond to major fires and other natural disasters. These individuals provide millions of hours of firefighting services to Californians each year. The work is dangerous, but vital. Without the efforts of the ward and inmate populations, wildfires would impose much greater devastation on the state. When not fighting fires, these individuals engage in major conservation work throughout California.

These programs are also important to our correctional programs. They allow staff to supervise wards and inmates in a less structured setting, thereby easing their transition back into society. Most wards confined in the Youth Authority are indeterminately sentenced and are thereby subject to release when most ready for parole. All will be released by age 25. Therefore, it is especially important that after a period of confinement in a secure institution most of these youthful offenders be observed in a less secure environment before release back into society. While we hope that all will succeed on parole, we would rather that any of them who are going to fail do so while in a camp setting rather than back on the streets among our citizenry.

Before responding in detail to your recommendations, we want to stress that both Departments strive to operate their programs in a manner that provides the greatest protection to Californians.

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We appreciate the opportunity to respond on what we consider a very timely, relevant issue in the correctional field. Our detailed response is organized in a manner consistent with your recommendations as summarized on pages S-3 and S-4 of your report. The first three recommendations pertain to the Department of Youth Authority; while the last two address the Department of Corrections.

1. **Recommendation:** Develop policy requiring staff to obtain, when necessary, records of wards' criminal activity from the F.B.I. and from other states.

Response: The Department of the Youth Authority agrees that it is necessary to obtain Federal Bureau of Investigation and other records that might include a list of arrests and dispositions of wards' criminal/delinquent activity outside of California if there is information that a ward may have been arrested in another state. The Administrator of Intake and Court Services issued a directive to his staff on December 18, 1986, requiring them to attempt to obtain out-of-state information on new cases if there is any indication the ward may have committed a crime in another state.

The Deputy Director, Institutions and Camps Branch, issued a policy memo on February 17, 1987, requiring that the records be requested by the Intake Consultants and Casework Specialists completing clinic diagnostic studies if new information regarding out-of-state criminal behavior is revealed during the clinic process. Further, this new policy prohibits recommending or transferring wards to a limited security program until such information is received, evaluated and considered.

2. **Recommendation:** Develop an objective, point-based classification system and require that wards be assigned to programs that match their classification.

Response: The goals of both a point-based classification system and a clinically based one are the same -- to allow correctional staff to best assign inmates or wards to suitable programs. The factors considered by both systems generally are the same, for example, prior criminal records and prior record while incarcerated. As discussed below, most nationally recognized classification experts believe that security decisions made on the basis

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of clinic judgments are more restrictive and place fewer wards/inmates in less secure environments.

The development, implementation and ongoing refinement of a sound classification system is one of the most challenging issues facing the correctional field. Because any such system is designed, in part, to predict human behavior, it is extremely difficult to compare the relative advantages/disadvantages of various classification systems.

We agree that a point-based classification system has certain advantages over a system based on clinical judgment; however, we believe that a judgment-based system permits the Department to deal with both needs and risks -- a necessity for a department with a mandate to train and educate its incarcerated population.

Our present Ward Assignment system consists of three components, (1) Program Designation, (2) Population Management, and (3) Case Reports, and provides a systematic approach to classification, assignment, and behavior documentation. Its purpose is to identify ward needs -- including custody/security -- in terms of the level of control and the services that are available in various programs, matching the needs of the individual ward to the available programs, and recommending the appropriate program placement for the ward.

There are four program components that are considered when recommending placement: Custody/Security, Age/Maturity, Treatment/Management, Adult/Juvenile, Work/Academic/Vocational. Our Program Catalog gives detailed instructions as to the factors (observed behavior, background, physical, social, and emotional attributes, etc.) that should be considered when recommending a program. All are interrelated and none is automatically given a higher priority than the others. The "total" person is considered; however, some programs do have certain criteria that would preclude some wards from being assigned to them. For example, no ward is now assigned to camp unless he has a limited custody designation.

The Department of the Youth Authority has a Ward Assignment System with the four program components listed above. Each component has elements which describe the

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various programs in detail and each element has a corresponding selection factor which is descriptive of the type of ward that is suited for a specific component. This description uses behavioral characteristics which are comprehensive for each factor and limits the parameters of staff judgment. The elements of our criteria are similar to and consistent with those of existing objective point systems. "Other Placement Considerations" are included and utilized to record major factors which effect placements that are not covered in the four core program components. These major factors may include but are not limited to gang involvement (which would effect the safety and security of a ward in certain program settings), protective custody (when ward is likely to be victimized by other wards), family contact (necessary for ward's well-being/treatment), and co-offenders (that should not be placed in the same program). Between the component elements and selection criteria, we have a system that results in wards being assigned to programs that best meet their needs while providing a safe secure institutional environment and public protection.

The selection criteria for camps are even more restrictive than those employed for other programs. The 13 point criteria includes such items as not being committed for a very serious violent offense, having not more than 24 months to serve prior to parole, having no sex-related commitment offenses, having no recent escape or attempted escape and having no serious disciplinary actions within the prior six months. Only within these limits can staff exercise clinical judgment in recommending camp placement. These elements are generally present in point-based classification systems.

Based on the Welfare and Institutions Code mandate that the Department of the Youth Authority is to provide training and treatment to the wards for whom it is responsible, the Department's program designation system includes a clinical assessment of both needs and risks. The risks assessed by trained, experienced staff include not only risks associated with escape and violence outside the institution or camp but also risks of suicide, victimization by others, and violence to others within the facility.

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The Department's custody/security designation is not made on security considerations alone. Rather, the designation is one of custody and security combined. The Federal Bureau of Prisons' definition of custody and security may best illustrate this combination. The Bureau defines security as "the level of institution (structural) security required to maintain control of the inmate" and custody as "the level of staff supervision necessary to preclude involvement in problem behavior." Thus, Youth Authority staff assess both the structural security and the staff supervision which they judge as necessary for each ward, along with other aspects of Youth Authority programs judged as being important in reducing each ward's risk and needs so that the public safety is enhanced when he returns to the community.

Currently, the custody/security designation is based on clinical judgment. National classification experts (proponents of point systems) have noted that when designations based on clinical judgment are compared with results of actuarially based classification using similar criteria, clinically derived designations usually are more restrictive. Thus, a clinically determined custody/security classification would generally result in more restrictive designations than a similarly based actuarial point system.

Point systems for custody/security classification are not unknown to the Youth Authority. In 1982 the Department pilot tested a custody/security classification score sheet and determined that the score sheet was able to distinguish between current institutional and camp populations at that time. However, the actuarial soundness of this custody/security sheet is unknown, in that the results were not implemented. Therefore, the score sheet's ability to predict wards' subsequent behavior was not validated.

Your report states that at least 11 wards were placed in minimum security when they apparently should have been placed in programs with higher security levels in that they either escaped or assaulted someone while in these programs. Because of the difficulty of predicting violent behavior, however, even the most rigorously developed actuarial point systems cannot predict wards' future behavior with certainty. The maximum predictability found in research on future violent behavior is generally 60-70 percent. Thus, even the soundest point systems are not

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able to classify and predict violence with complete accuracy.

We do not oppose reviewing and evaluating existing objective point systems but have yet to find or develop one that has been clearly demonstrated to be superior to the system we now use.

The classification process begins at one of our clinics where wards are first received by the Youth Authority. Each undergoes a diagnostic study which may include a social history, medical/dental examination, psychological and/or psychiatric evaluation. A staffing team reviews the ward's background and material developed at the clinic to determine ward's needs and the program that would best meet them.

A monitoring system is built into the process in that there are several levels of review in the decision-making process recommending program changes. For example, a ward's counselor may recommend he go to camp. His case is reviewed by the treatment team, then the living unit program manager, and the superintendent of his/her designee.

Wards are classified and referred for assignment by institutions' or camps' staff. Two assignment alternatives are entered into the Population Management computer which makes an assignment based on the relative lengths of the waiting list. Wards are placed on the waiting list in the date order of assignment.

Each morning the institutions and camps enter their current count into the Population Management Center System. Based on the vacancies reported, a transportation list is developed from the waiting lists for the various programs. Wards placed on the transportation list are moved the following day.

Review of a ward's program occurs at least every 120 days and more often every 60 days. These reviews include input from living unit peace officer staff, security staff, instructors, and others who deal directly with him/her. Recommendations for program changes are made at these regularly scheduled reviews (which may be held on an as-

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needed basis if a special need or problem arises). The recommendations made by these staffing teams are subject to numerous levels of review to ensure that the recommendation meets the program criteria and that the judgments are sound. The first level of review is completed by the living unit program manager and the second is done by the Parole Agent III (Supervisor of Casework Services). In many instances the superintendent or his/her designee reviews recommendations for program changes. In the case of transfers to camps, a special screening Forestry pre-camp staff review is made to ensure camp criteria are met. Wards are then sent to a three-week Pre-Camp Training Program prior to being transferred to a Conservation Camp and the screening process continues there. Finally, Camp Superintendents have the prerogative of removing wards from camp if staff feel they present any unnecessary risk.

Data from the Northern California Pre-Camp Program indicate that 4,144 wards have entered the program since its inception in November 1981. Of these, 403 failed training, 20 were released on parole, 426 were rejected because they were physically or medically unfit, and 3,100 were actually transferred to a camp program. Escapes have decreased considerably with the advent of our Pre-Camp Programs. For example, escapes from Oak Glen and Fenner Canyon for the one-year period before the Southern Pre-Camp program began its operation were 74. This decreased to 40 for the first year of its existence, a 42 percent reduction.

The reduction in the number of escapes from our camps reflects staff's efforts to improve security and respond to recommendations to include more restrictive criteria for camp referrals. Our data on escapes from camp indicate the following:

<u>Year</u>	<u>Average Daily Population</u>	<u>Total Pop. Served</u>	<u># of Escapes</u>	<u>% of total Population</u>
1979	341	1,462	127	8.7%
1983	497	1,892	91	4.8%
1984	612	2,030	100	4.9%
1985	609	2,221	151	6.8%
1986	613	2,101	67	3.1%

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The Department recognizes that it is important to continuously improve its methods in order to have the best possible classification system for increasing public protection and using its resources most efficiently and effectively. Therefore, several efforts are underway which represent major policy and resource commitments by the Youth Authority for improving ward classification.

One is the Classification for Risk Study, being jointly conducted by the Department, the Youthful Offender Parole Board, and the National Council on Crime and Delinquency. This project is analyzing information on 2,000 Youth Authority wards in order to determine their risk of parole recidivism and their risk of violence while on parole. A risk assessment instrument is being developed for the Board's consideration in making parole release decisions. This data base will also be used to improve the custody/security classification methods.

In 1985, the Department appointed a Classification and Intervention Work Group to assess classification methods currently in use in the Youth Authority and in other departments and to provide recommendations for change. The Work Group has not yet produced a final report. Classification systems used for several different purposes, including security risk, risk of recidivism and ward needs, were examined by the Group. These systems included federal (Bureau of Prisons and U.S. Parole Commission), state (for example, Michigan, Wisconsin, South Carolina, and the California Department of Corrections), and local (such as Orange County Probation Department) systems. The Group found that the Bureau of Prisons and the California Department of Corrections security classification systems had the soundest research backing. The Work Group is proposing that staff skills and experience (such as used in the current clinically based designations) be recognized and considered in the development of classification instruments for the Department. The Group is also proposing that no one existing system from other jurisdictions be adopted but that usable elements be adapted from other systems. Moreover, group members strongly support a system which will allow for overrides such as permitted by the California Department of Corrections' system. Now that research staff resources are available to apply to developing, testing and validating

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such a system, work plans to develop a revised custody/security system are being implemented.

The Youth Authority's three-year Research Program Plan, which is currently being implemented, builds on the efforts of the Classification and Intervention Work Group and the Classification for Risk Study. Classification research is currently one of the major research thrusts for the Department. Research staff have begun a series of interrelated classification and prediction projects, which will build on the clinical assessments currently used. A major goal of these efforts is to increase the actuarial soundness of the Department's classification system. The Institutional Risk Study is designed to aid in more effective institutional assignments, including custody/security. In order to update and improve an already pilot-tested custody security classification instrument, data from the Classification for Risk Study are to be analyzed to validate existing items and identify any new items which are predictive of custody/security risk.

In 1983, the California Corrections Executive Council, a state/local partnership, was established. One of its objectives is to "explore and initiate offender classification systems with common data bases and assessment tools on a statewide basis." Membership on the Council includes an Undersecretary of the State's Youth and Adult Correctional Agency, the Director of the Department of the Youth Authority, Youth Authority Deputy Directors of Institutions and Camps and Parole Services branches, their counterparts in the Department of Corrections, four sheriffs, four chief probation officers, and the Chairpersons of the Board of Prison Terms and Youthful Offender Parole Board. The two Youth Authority Deputy Directors served on a Classification Committee to "study the feasibility of establishing a systematic, multi-disciplinary approach to the sharing of offender classification information among local and state correctional agencies in California." This group identified and described the "state of the art" in classification systems as well as the advantages and disadvantages of each.

It is clear from the above that the Department has been and is committed to having the best available

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classification system in use to meet its public protection, training and education, and offender accountability goals. At this time it is not known if a point-based classification system can meet these multiple goals.

3. **Recommendation:** Routinely review and evaluate assignments of wards who are involved in serious incidents.

Response: The report recommends that the Department develop a process for reviewing and evaluating ward assignments that result in wards being moved to higher security programs or having time added to their parole consideration date. It also recommends that these reviews be used to revise the guidelines on assigning wards and educate staff regarding their decisions.

An ongoing process for reviewing camp escapes was established in March 1986. Superintendents are required to report major incidents (escapes, death or serious injury to a ward or staff member, one which may present a negative community reaction or publicity in the news media) to the Deputy Director as soon as possible after the incident occurred. As soon as an escape is reported to the Deputy Director of Institutions and Camps, the Administrator for Security and Emergency Operations, or his alternate, reviews the ward's file for problem areas and casework decisions. Any discrepancies are reported back to staff. Also, superintendents must prepare, within one working day of the incident, an analysis of the escape which includes recommendations for preventing or avoiding escapes. This report is used to recommend policy changes, request new equipment, etc. However, there are risks other than escapes (i.e., assaultive behavior) which we have not to date systematically reviewed. Also, there are no formal procedures whereby staff recommending placement in limited security programs are given feedback if wards fail such a placement.

Within 120 days, the Department of Youth Authority will develop policy and procedures for a random review of cases of wards in a limited security program who are involved in an incident resulting in additional time or require higher level security. This review will include an analysis of the wards' background and staff's casework decision with a process for giving feedback to institution decision makers with the objective that future recommendations will result in successful placement. At

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the same time, we will establish a practice of random review of cases transferred to limited security programs to ensure that criteria for assignments is met and to routinely detect if there are any problems.

4. Recommendation: Require the Department of Corrections reception center staff to obtain FBI reports, use this information when classifying inmates, and retain the report in the inmate's file.

Response: The Department of Corrections is already in partial compliance with this recommendation. As the report states, at the time of reception, FBI records are requested on each inmate via fingerprint cards. A response is generally received within six to eight weeks. They are utilized when available and they are retained in the file if received. Frequently, the only response received is a slip of paper indicating that there is no FBI record of arrest. Since the audit was conducted, it has been learned that these slips are, by practice, discarded rather than filed. This practice is to be discontinued and the notices will be retained in the file.

In an attempt to clarify the importance, or lack of importance, of these documents, it should be noted that when the California Law Enforcement Telecommunications System (CLETS) was utilized by Auditor General (AG) staff to query CLETS for FBI criminal data, there was no record of arrest or conviction in other states on those inmates who did not have FBI reports in their files. Consequently, there would be no new/additional data available for use in determining the Classification Score (CS). It appears that in the 62 sample cases, the presence, or lack of presence, of the FBI report would not have changed the outcome of the initial CS.

The Department of Corrections does recognize the importance of the utilization of the FBI report as an information source. However, we do not feel that it should be a criterion to CS computation and placement, but rather a tool for validation.

It appears appropriate that the Department of Corrections initiate a method of tracking the receipt of FBI reports and follow up when they are not received. The Department would then be able to routinely utilize these documents to validate scores and verify appropriateness of placement.

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Retention of the inmate in the RC until a report is available is not practical, and on the basis of this report, not justifiable. Due to current CDC population conditions, including severe overcrowding of RC's, expeditious processing is a significant priority. The Correctional Counselor generally completes process paperwork within two to three weeks after the inmate's arrival. Inmates generally transfer out of the RC within four to five weeks after arrival. To retain an inmate pending receipt of the FBI report would more than double processing time, thereby creating an intolerable population crisis.

5. Recommendation: Establish a procedure for CDC staff to obtain FBI reports for inmates whose files currently do not have these reports, and reclassify inmates accordingly.

Response: This appears to be an appropriate recommendation. It is consistent with CDC intentions. Cases needing follow-up can be identified during routine classification committee reviews and a requesting/tracking system initiated. Procedures will be developed by April 1, 1987, to ensure compliance.

In addition to addressing the specific recommendations made in the draft report, clarification is also needed regarding three issues pertaining to CDC. They are:

Training program on classification scoring -- The draft report indicates that in response to a previous report by the Office of the Auditor General, CDC has begun a training program on classification scoring. It should be pointed out that CDC has always provided ongoing training at the local level, with periodic involvement of Classification Staff Representatives (CSR), regarding calculation of CS. As a result of the previous AG report, there has been an additional emphasis placed upon ensuring score accuracy via training and supervisory review.

Although not mentioned in the audit, but of significance, is CDC's own recognition and subsequent response regarding the need to upgrade the level of policy

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compliance in a variety of areas, including records and classification. As far back as early 1985, the Institutions Division of CDC developed and implemented an internal audit process for this purpose. Although this audit process places a significant workload on institution and headquarters staff, it appears to be well worth the effort based on the overall training benefits, enhanced operations and increased compliance with policy and procedures.


Level Overrides -- The report addresses the issue of override placements. The report cites that of the 62 Level I cases reviewed, 20 were Level II's receiving Level I placement overrides. Although the overrides were found to be appropriate, this sample does not appear to be representative of departmental override statistics which generally reflect a much lower percentage of override placements. For example, on January 31, 1987, our data shows that the Folsom Ranch had 363 inmates. Of this population, 351 had Level I scores and 12 had Level II scores which were Level I override placements.

An issue not addressed by the audit is the overrides of a Level I score to a Level II facility, which is also a common override. Such overrides are based on the inmate's demonstrated behavior or other case factors, including the lack of adequate information to validate score and qualify for Level I placement.

Camp Placement -- The statement in the report regarding inmates with escape history being precluded from camp placement could be misleading. Although an escape history would normally preclude camp placement, the more minor "walk-away" escape would not automatically preclude consideration for camp placement, but in practice would result in careful evaluation.

In conclusion, I want to thank you for the opportunity to respond to your draft report. Your staff were thorough and did a good job in identifying major issues in one of the most challenging areas of correctional management.

Sincerely,


N. A. Chaderjian
Agency Secretary

cc: Members of the Legislature
Office of the Governor
Office of the Lieutenant Governor
State Controller
Legislative Analyst
Assembly Office of Research
Senate Office of Research
Assembly Majority/Minority Consultants
Senate Majority/Minority Consultants
Capitol Press Corps